

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION 03-12469-JLT

AMERICAN TOWER CORPORATION,)
)
Plaintiff,)
vs.)
)
GRANITE STATE INSURANCE COMPANY,)
)
Defendant,)
and)
)
FRED A. NUDD CORPORATION,)
)
Defendant and Third-party plaintiff,)
vs.)
)
UNDERHILL CONSULTING ENGINEER, P.C.)
)
Third-party defendant.)

FILED
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2004 JUN 21 P 2:11
U.S. DISTRICT COURT
DISTRICT OF MASS.

THIRD-PARTY DEFENDANT'S INITIAL DISCLOSURE

Third-party defendant Underhill Consulting Engineer, P.C. (Underhill), pursuant to Fed.R.Civ.P. 26(a)(1), hereby makes the following initial disclosure.

A. Persons with Discoverable Information.

1. George R. Underhill, Chief Executive Officer
Underhill Consulting Engineer, P.C.
4053 Maple Road
Amherst, NY 14226

(the design of the monopole base)

2. Thomas Nudd, Lowell Nudd, Michael Withey, Timothy Wilson and Patrick Botimer, Fred A. Nudd Corporation, P.O. Box 577, 1743 Route 104, Ontario, NY 14519 (315) 524-2531.

B. Identification of Relevant Documentation.

1. Engineering packages relating to the towers believed to be in the possession of Fred A. Nudd Corporation.

C. Calculation of Damages.

Not applicable.

D. Liability Insurance Agreement.

1. Continental Casualty Company Policy No. SFA-006091680.

UNDERHILL CONSULTING ENGINEER, P.C.
By its attorneys,


Terrance J. Hamilton
CASNER & EDWARDS, LLP
303 Congress Street
Boston, MA 02210
(617) 426-5900
B.B.O. No. 218980

DATED: June 18, 2004

STATEMENT OF SERVICE

I hereby certify that a true
copy of the above document was served
upon (each party appearing pro se and)
the attorney of record for each party by
mail (by hand) on 6/18/04

(Signature)
